

Lucille Allen

April 1, 1876

My dear Caswell,

I have to thank you for report No 294, read last evening. The committee adhere, I see, to their decision, and have produced just such a report as alone could sustain it. If the law laid down in it are fair specimens of ^{the} Virginia and Missouri bench. I do not wonder that they make so small a figure in the authorities. The doctrine (page 3) that the testimony of a conspirator must be corroborated by evidence coming from "uncontaminated sources" is decidedly novel. ^{as a matter of law,} The committee, however, had this corroborative evidence from "uncontaminated sources" to the operations of Squint Club, in the Registration list with 10000 imaginary voters, in the peculiar laws of the State respecting registration & election, in the city registration of December. Showing over 1600 voters less than votes cast in November.

The application made of the rule Howard is Cooper page 5, is also brilliantly original. That rule applies when the evi-

... go into his hands, and does not show in what
direction the funds were,

The lex parliamentaria of no country, England
or any other, requires that bribed votes be rejected
should be directly purchased by the candidate or his
agent. It is the quality of bribery that destroys the
vote. So far from the English laws being more restricted
than ours, they go farther, and bring within the cat-
egory acts that were formerly technically doubtful,

The real question however, is what is the Alabama
law.

The committee find fault with the pleadings
of the 12th specification. They say they cover the district,
they were meant to. What they pronounce a fault,
is its merit: none or less of the district was involved
by the use of troops and cannon. How much we tried to
show specifically by testimony, it could not be done
in pleadings. It will please Johnston, T.C. Hamilton
& J. Little Smith, to learn that they have made a speci-
fication, not one of whose grounds but violates good pleading.

I should like to know, what in law is meant by
the phrase page 10. "original case". To what can "rebuttal"
apply except to the "original case", seeing there is no other.

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The committee have certainly not met the law as laid down in the brief, and manufactured a novelty in doctrine.

The evidence respecting emigration points freely, it is said, to existing by "non reasons". In connection with the vote of 1869, the law in general, and the vote of 1870, it was claimed to point to "repeating".

The committee suppress all allusion to the laws of the State, and to Executive Dec 110, which were out of the case. They speak of Parris absolute control as an "idle boast" but every witness, white and black, testified to the same fact. They suppress that part of Hamilton's harangue in which he advocated the hanging of any one who advised a colored man to vote the Democratic ticket, which was a threat directed against whites. The committee assert that Squire is contradicted in important particulars, when in fact he is borne out in all, by nearly all. Parris never used the words "fraudulent votes" but "illegal votes" a wide difference, and admitted that if the plan were carried out should have polled 1500 votes. Taylor said he did not hear any instructions to vote more than one, all testified that they were not directly instructed to vote but shown how they could, without being caught. Taylor did not qualify by the words 250. When he said he believed "the full strength of the organization was polled". The qualification is a deliberate addition by the committee. The committee are swift witnesses for Hamilton. The last specification, which is little Smith deliberately added, after

some over the others, now endorsing them, are deceptively ignored by the
 Committee. I feel strongly tempted to go to Washington and
 claim my right to be heard on the floor of the House, against
 this report, but - I hear two things, first, that I shall not be allowed
 as much time as I ought to have, as happened to me in the sen-
 ate of the Freedmen's Bank, and secondly, that I shall say things
 true enough, but which might embroil out and out Democratic
 friends like yourself and Johnson. Nor have stood by me faith-
 fully. There is no question but the Southern element in the Demo-
 -cratic party prefers a rascally negro to any Southern man who
 was for the Union. If I live I shall have the pleasure of walking
 over the political graves of that crowd, and the few spears butt
 I might throw up, will not materially add to the depth of their rest-
 ing place.

The incident, that the testimony respecting the Club was manufac-
 tured, involves lawyers the peers in honor, of any member of the
 Committee. It does not affect me, as you well know I was in
 Washington during the taking of it. I leave their honor to the
 defence of their fellow lawyers in the Alabama delegation.
 If the Committee do not use their parliamentary power, as the Bank Com-
 mittee did against me, I should not want to be in their position,
 when you open fire upon them. Their report did grace their position
 as a tribunal, consisting of lawyers, and acting judicially.
 Give my regards to Fairburn, who too has had a hard time before his Committee.
 I am I hope &c. Calvered. M.C. Truly your friend
 Charles Sumner

renewed the utterance of the House
more than usually bad. The House
has been in use now more than ten
years.

The return of the Rev. Cutter here forre-
pairs, developed the fact - that the
petition to detain her here, had been
placed in the mails by Mr Geo Lyons
with his own hands, but, although it
was a package weighing 21 cents
in stamps, it slipped through some
crack ~~in~~ in the mails, and failed
to reach me.

I sent a telegram to Fritz Forney
upon the matter, inasmuch as he
had already acted in the matter,
before. Strictly speaking, I authorized
Mr Lyons to send dispatch in my name.

I trust the cold snap did not af-
fect your health, seeing that you

have been proof, so far, to the influences of
the bad air.

Give my respects to Mr Pillsbury.

If you think of it, please ask Mr Mills of
Texas, whether he received my answer to
his lines of the 28th Feb.

My regards, also, to Emil Morgan.
and compliments, generally, to the Ala-
-table.

Truly your friend
Samuel H. Caldwell, M.D. Friend of Pillsbury
Washington D.C.



Mr J H Caldwell
Jacksonville
Ala

